

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
W.R. GRACE & CO., et al.,) Case No. 01-01139(JKF)
) (Jointly Administered)
)
Debtors.) Re: Docket No. 19369
)
) DECLARATION OF ANTHONY S. PETRU
) IN SUPPORT OF CLAIMANT GLORIA
) MUNOZ'S RESPONSE TO DEBTORS'
) TWENTY-FIFTH OMNIBUS OBJECTION
) TO CLAIMS (SUBSTANTIVE AND NON-
) SUBSTANTIVE)
)
GLORIA MUNOZ,)
) Plaintiff,) IN THE SUPERIOR COURT OF THE
) STATE OF CALIFORNIA FOR THE
) COUNTY OF ALAMEDA
)
vs.) CASE NO. 810748-2
)
W.R. GRACE & CO., - CONN., a)
corporation, C.C. FRIAL, PEDRO)
GONZALES "PETE," J.C. GONZALES)
"JOE," and DOES I through XX,)
inclusive,)
)
Defendants)

Hearing Date: September 29, 2008 at 10:00 a.m.

DECLARATION OF ANTHONY S. PETRU

I, Anthony S. Petru, declare:

1. I am an attorney at law duly licensed to practice before all the courts in the State of California and the United States District Courts in the State of California. I am a partner of the law firm of Hildebrand, McLeod & Nelson, Inc., attorneys of record for GLORIA MUNOZ, the plaintiff in *Munoz v. Grace, et al.*, a California case filed in Alameda County Superior Court, Case No. 810748-2.

2. I have been charged with the litigation of the aforesaid *Munoz v. Grace, et al.*, matter and am fully familiar with the facts herein stated.

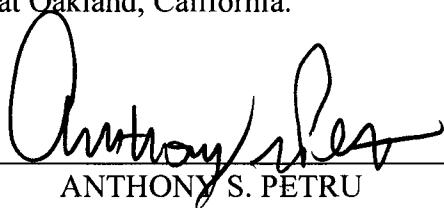
3. The above-entitled case is pending in Alameda County Superior Court. The Superior Court imposed a stay pending the resolution of defendant W.R. Grace's bankruptcy case.

4. The undersigned represented Blanca Flotte in *EEOC and Blanca Flotte, intervenor, v. W.R. Grace & Company*, United States District Court, Northern District of California, Case No. C 98 1256 WHO. Ms. Flotte alleged that she was discriminated on the basis of sex at the W.R. Grace plant in San Leandro, California, where Gloria Munoz worked. During litigation of the *Flotte* matter, I obtained information concerning W.R. Grace's hiring practices at the San Leandro plant: namely, that in 1996 a female hiring hall referral was dispatched to W. R. GRACE and was denied employment. Again, in 1997, two female referrals were dispatched to the San Leandro plant with a male; only the male was hired. The discrimination claim was settled by Ms. Flotte, another female intervenor, and the EEOC in 1999.

5. The undersigned respectfully requests permission from the Court to appear by telephone at the September 29, 2008, hearing as it would be a hardship for him and his client, in light of his calendar, to make a personal appearance on September 29, 2008, in Delaware from California.

I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.

Executed this 17^t day of September 2008, at Oakland, California.



ANTHONY S. PETRU

PROOF OF SERVICE

In re: W.R. Grace & Co., et al. (Debtors)
U.S. Bankruptcy Court, District of Delaware, Case No. 01-01139 (JKF)

I, TULOA SANCHEZ, hereby declare that I am a citizen of the United States and am over the age of eighteen (18) and am not a party to the above-entitled action. I am employed in the County of Alameda, California and my business address is Hildebrand, McLeod & Nelson, LLP, 350 Frank H. Ogawa Plaza, 4th Floor, Oakland, CA 94612-2006.

On September 17, 2008, I served the foregoing document(s) entitled:

**DECLARATION OF ANTHONY S. PETRU IN SUPPORT OF CLAIMANT
GLORIA MUÑOZ'S RESPONSE TO DEBTORS' TWENTY-FIFTH OMNIBUS
OBJECTION TO CLAIMS (SUBSTANTIVE AND NON-SUBSTANTIVE)**

by placing the original, X a true copy thereof, enclosed in a sealed envelope addressed as follows:

(SEE PROOF OF SERVICE LIST ATTACHED)

BY MAIL: I caused such envelope(s) or package(s) to be deposited in the mail at Oakland, California with postage thereon fully prepaid. I am readily familiar with our firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day, in the ordinary course of business. The above sealed envelope(s) or package(s) was placed for collection and mailing on the above date following ordinary business practice.

BY PERSONAL SERVICE: I caused such envelope(s) containing a true copy thereof to be hand delivered to the parties listed.

BY OVERNIGHT DELIVERY: I caused such envelope(s) or package(s) designated by Federal Express with delivery fees paid or provided and;

deposited such envelope(s) or package(s) in a facility regularly maintained by the **Federal Express** courier;

delivered such envelope(s) or packages to an authorized courier or driver authorized by **Federal Express** carrier to receive documents.

BY FACSIMILE: On _____ at _____ a.m./p.m., by use of facsimile machine telephone number 510-465-7023, I served a true copy of the above-entitled document(s) on the parties in said action by transmitting by facsimile machine to the numbers as set forth above. I caused the machine to print a transmission record of the transmission, a copy of which is attached to this Declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on **September 17, 2008**, at Oakland, California.

TULOA SANCHEZ

PROOF OF SERVICE LIST

In re: W.R. Grace & Co., et al. (Debtors)

U.S. Bankruptcy Court, District of Delaware, Case No. 01-01139 (JKF)

Kari E. Levine, Esq. SEYFARTH SHAW 560 Mission Street, Suite 3100 San Francisco, California 94105-2930 (Fax: 1-415-397-8549)	<i>Representing: Debtor, W.R. Grace re Munoz vs. W.R. Grace, California Superior, Alameda County, Case No. 810748-2</i>
Christopher T. Greco, Esq. KIRKLAND & ELLIS LLP Citigroup Center 153 East 53rd Street, Suite 39 New York, NY 10022 (Fax: 1 212-446-4900)	<i>Co-counsel Representing: Debtors W.R. GRACE & CO, et al.</i>
James E. O'Neill, Esq. PACHULSKI, STANG, ZIEHL & JONES, LLP 919 N. Market Street, Suite 17 P. O. Box 8705 Wilmington, DE 19899-8705 (courier 19801) (Fax: 1-302-652-4400)	<i>Co-counsel Representing: Debtors W.R. GRACE & CO, et al.</i>
Scott L Baena, Esq. BILZIN-SUMBERG First Union Financial Center 200 South Biscayne Boulevard, Suite 2500 Miami, FL 33131 (Fax: 1-305-374-7593)	<i>Representing: Official Committee of Property Damage Claimants</i>
Michael B. Joseph, Esq. FERRY & JOSEPH,P.A. 824 Market Street, Suite 904 P. O. Box 1351 Wilmington, DE 19899 (Fax: 1-302-575-1714)	<i>Representing: Official Committee of Property Damage Claimants</i>
Peter Van N. Lockwood, Esq. CAPLIN & DRYSDALE, CHARTERED One Thomas Circle, N.W. Washington, DC 20005 (Fax: 1-202-429-3301)	<i>Representing: Official Committee of Personal Injury Claimants</i>
Mart T. Huford, Esq. CAMPBELL & LEVINE, LLC 800 N. King Street, Suite 300 Wilmington, DE 19801 (Fax: 1-302-426-9947)	<i>Representing: Official Committee of Personal Injury Claimants</i>

PROOF OF SERVICE LIST (cont'd)*In re: W.R. Grace & Co., et al. (Debtors)**U.S. Bankruptcy Court, District of Delaware, Case No. 01-01139 (JKF)*

1 4 5 6	Lewis Kruger, Esq. STROOCK & STROOCK & LAVAN 180 Maiden Lane New York, NY 10038-4982 (Fax: 1-212-806-5430)	<i>Representing: Official Committee of Unsecured Creditors</i>
7 8 9	Michael R. Lastowski, Esq. DUANE, MORRIS & HECKSCHER, LLP 1100 N. Market Street, Suite 1200 Wilmington, DE 19801-1246 (1-302-657-4901)	<i>Representing: Official Committee of Unsecured Creditors</i>
10 11 12	Teresa K.D. Currier, Esq. BUCHANAN, INGERSOLL & ROONEY, P.C. 1000 West Street, Suite 1410 P.O. Box 1397 Wilmington, DE 19899-1397 (Fax: 1-302-552-4295)	<i>Representing: Official Committee of Equity Holders</i>
13 14	Gary Becker, Esq. KRAMER, LEVINE, NAFTALIS & FRANKEL LLP 919 Third Avenue New York, NY 10022	<i>Representing: Official Committee of Equity Holders</i>
15 16 17 18	Richard H. Wyron, Esq. ORRICK, HERRINGTON & SUTCLIFFE, LLP Columbia Center 1152 15th Street, N.W. Washington, D.C. 20005-1706 (Fax: 1-202-339-8500)	<i>Representing: Future Claimants' Representative</i>
19 20 21	John C. Phillips, Jr., Esq. PHILLIPS, GOLDMAN & SPENCE, P.A. 1200 N. Broom Street Wilmington, DE 19806 (Fax: 1-302-655-4210)	<i>Representing: Future Claimants' Representative</i>
22 23 24 25 26 27 28	David Klauder, Esq. Office of the United States Trustee J. Caleb Boggs Federal Building Suite 2207, Lockbox 35 844 N. King Street Wilmington, DE 19801 1-302-573-6491 1-302-573-6497 (fax)	<i>Representing: Office of the United States Trustee</i>